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November 20, 2014

BY ECF

Hon. Katherine B. Forrest, U.S.D.J.
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007-1312

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Sagi Genger v. Orly Genger, Case No. 14-5683 (KBF)

(Letter Motion for A Stay In Light Of Orly's Motion For Reconsideration)

Dear Judge Forrest:

This firm represents defendant Orly Genger ("Orly") in the above-referenced action. Pursuant to Rule 2.F of the Court's Individual Rules of Practice in Civil Cases, Orly respectfully requests a stay of Orly's deadline to produce a confidential settlement agreement pursuant to the Court's November 18, 2014 Order. By its November 18, 2014 Order, the Court vacated its prior October 7, 2014 Order and directed Orly to produce a copy of the 2013 Confidential Settlement Agreement between Orly (individually and as beneficiary of the Orly Genger 1993 Trust) and non-parties known collectively as the "Trump Group" to the Court and to plaintiff by November 21, 2014. See 11/18/14 Order [Docket No. 64].

Orly has filed a motion for reconsideration of the Court's November 18, 2014 Order [Docket Nos. 72-74]. However, a motion for reconsideration does not stay the Court's Order. Thus, Orly respectfully requests a stay of the provisions of the Court's November 18, 2014 Order requiring production of the Confidential Settlement Agreement to Plaintiff on November 21, 2014 until the Court has had the opportunity to consider and decide Orly's Motion for Reconsideration.¹ In addition, Orly intends to seek an interlocutory appeal of the Judge's November 18, 2014 Order to the Second Circuit Court of Appeals pursuant to 28 U.S.C. § 1292(a)(1), should the Court deny the motion for reconsideration, or otherwise order production of the 2013 Confidential Settlement Agreement.

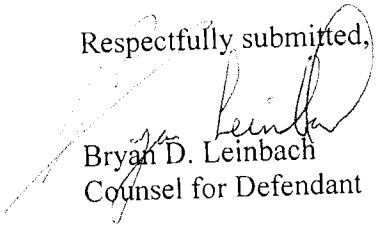
¹ Orly's Motion for Reconsideration asks that the 2013 Confidential Settlement Agreement be submitted only to the Court for *in camera* review. Orly does not ask for any change to the requirement that the parties submit 3-page letters discussing the potential impact of the Confidential Settlement Agreement on the claims and defenses in this case on or before November 25, 2014.

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We are available to speak with the Court at its earliest convenience. We thank the Court for its continued attention to this matter.

Respectfully submitted,


Bryan D. Leinbach
Counsel for Defendant

cc: Counsel for Plaintiff (by Email and ECF)

Ordered

The motions for a stay and for reconsideration are both DENIED.

A key issue in the case before this Court is whether there was consideration for the agreement between the Genger siblings; it is apparent now from the summary judgment motions, that ~~such~~ the Trump Settlement Agreement is or may well be relevant to that question. Accordingly, the documents shall be produced today.

K B. For

USDJ

11/21/14